In the High Court of Uttaranchal, at Nainital.

Criminal Appeal No. 1445/2001
Old No. 41 of 1996

1- Mallu S/o Anwar Ahamad,

2- Anwar Ahmad S/o Ajmatullah,

both residents of Jawahar Nagar Colony, P.S. Haldwani, District Nainital ….Appellants.

Vs.

State of U.P. ….Respondent.

Hon'ble J.C.S. Rawat, J.

Heard Sri M.K.Aggarwal, learned counsel for the appellants and Sri Lalit Verma, learned A.G.A. and Sri P.S.Rawat Learned counsel for the complainant.

The parties have filed the compromise which was sent for verification to the Judicial Magistrate, Haldwani. The compromise has been verified by the parties. The appellant Mallu S/o Anwar Ahmad is alive whereas the appellant Anwar Ahmad has died. The verification report of his death has already been received from the Chief Judicial Magistrate, Nainital. Hence the appeal of Anwar Ahmad stand abated. Injured of the case is Laddan alias Maqsood Hussain S/o Abdul Hussain. Both the injured and the appellant Mallu have entered into compromise. The Special Judge, Nainital has recorded the conviction under Section 324 read with Section 34 I.P.C.

The compromise is accepted. The conviction and sentence awarded by the Special Judge, Nainital on 31.12.1995 in S.T. no. 28/1992 under Section 324/34 I.P.C. is set aside and the appellant Mallu is acquitted of the charge under Section 324/34 I.P.C. in view of the said compromise.

(J.C.S. Rawat, J.)

Dt: 15-10-2004
ISB